



COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

701 OCEAN STREET - 4TH FLOOR, SANTA CRUZ, CA 95060
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123

TOM BURNS, PLANNING DIRECTOR

February 12, 2008

Planning Commission
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

Agenda Date: March 26, 2008
APN: 085-222-10,13,16
Application: 07-0522
Item 11

Subject: A public hearing to consider a proposal to rezone three lots of record from the Special Use (SU) and the Residential Agriculture (RA) zone district to the Timber Production (TP) zone district.

Members of the Commission:

On September 13, 2007, the County Planning Department accepted this application for a rezoning to Timber Production (TP). This is a proposal 36.35 acres parcel from the Special Use (SU) and Residential Agriculture (RA) zone districts to the Timber Production (TP) designation. The uses on the property consist of 2 single-family residences and vacant rural acreage.

Background

This project qualifies for a rezoning under California Government Code Section 51113. This section allows a property owner to petition the County to rezone land to the TP zone. The requirements for this type of rezoning are listed in Government Code section 51113(c)¹. The County may not place any additional requirements on this petition to rezone the property to TP. County Code Section 13.10.375(c) – “Zoning to the TP District” implements Government Code section 51113 and specifies the six criteria which must be met in order to rezone to TP.

¹ c) On or before March 1, 1977, the board or council by ordinance shall adopt a list of criteria required to be met by parcels being considered for zoning as timberland production under this section.

The criteria shall not impose any requirements in addition to those listed in this subdivision and in subdivision (d). The following shall be included in the criteria:

(1) A map shall be prepared showing the legal description or the assessor's parcel number of the property desired to be zoned.

(2) A plan for forest management shall be prepared or approved as to content, for the property by a registered professional forester.

The plan shall provide for the eventual harvest of timber within a reasonable period of time, as determined by the preparer of the plan.

(3) (A) The parcel shall currently meet the timber stocking standards as set forth in Section 4561 of the Public Resources Code and the forest practice rules adopted by the State Board of Forestry and Fire Protection for the district in which the parcel is located, or the owner shall sign an agreement with the board or council to meet those stocking standards and forest practice rules by the fifth anniversary of the signing of the agreement. If the parcel is subsequently zoned as timberland production under subdivision (a), failure to meet the stocking standards and forest practice rules within this time period provides the board or council with a ground for rezoning of the parcel pursuant to Section 51121.

(B) Upon the fifth anniversary of the signing of an agreement, the board shall determine whether the parcel meets the timber stocking standards in effect on the date that the agreement was signed.

Notwithstanding the provisions of Article 4 (commencing with Section

51130), if the parcel fails to meet the timber stocking standards, the board or council shall immediately rezone the parcel and specify a new zone for the parcel, which is in conformance with the county general plan and whose primary use is other than timberland.

(4) The parcel shall be timberland, as defined in subdivision (f) of Section 51104.

(5) The parcel shall be in compliance with the compatible use ordinance adopted by the board or council pursuant to Section 51111.

(d) The criteria required by subdivision (c) may also include any or all of the following:

(1) The land area concerned shall be in the ownership of one person, as defined in Section 38106 of the Revenue and Taxation Code, and shall be comprised of single or contiguous parcels of a certain number of acres, not to exceed 80 acres.

(2) The land shall be a certain site quality class or higher under

Section 434 of the Revenue and Taxation Code, except that the parcel shall not be required to be of the two highest site quality classes.

In accordance with County Code Section 13.10.375(c), the project meets the following six criteria for rezoning to Timber Production:

1. A map has been submitted with the legal description or assessor's parcel number of the property to be rezoned.
2. A Timber Management Plan, undated, prepared by a registered professional forester has been submitted for the property (Exhibit E).
3. The parcel currently meets the timber stocking standards as set forth in Section 4561 of the Public Resources Code and the Forest Practice Rules for the district in which the parcel is located (see Exhibit E).
4. The parcel is timberland, as the entire parcel is capable of producing a minimum of 15 cubic feet of timber per acre annually and is almost entirely located within a mapped Timber Resource area.
5. The uses on the parcel are in compliance with the Timber Production Zone uses set forth in Section 13.10.372.
6. The land area to be rezoned is in the ownership of one person, as defined in Section 38106 of the Revenue and Taxation Code, and is comprised of at least five acres in area.

This project qualifies for a statutory exemption (Exhibit D) in accordance with the California Environmental Quality Act and the County Environmental Review Guidelines (Article 17, Section 1703).

Conclusion

All of the criteria have been met for rezoning this parcel to the Timber Production zoning designation. All required findings can be made to approve this application and the rezoning is consistent with the General Plan policies and land use designations.

Recommendation

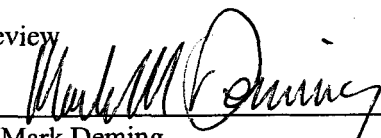
Staff recommends that your Commission adopt the attached Resolution (Exhibit A), sending a recommendation to the Board of Supervisors for approval of Application No. 07-0522 based on the attached findings (Exhibit B).

EXHIBITS

- A. Planning Commission Resolution, with Ordinance/ Findings
- B. APN Map
- C. Location, Current Zoning and General Plan Designation Maps
- D. Notice of Exemption from CEQA
- E. Timber Management Plan by Steven M. Butler, RPF #2390, dated September 5, 2007.

Maria Porcila Perez
Project Planner
Development Review

Reviewed By:


Mark Deming
Assistant Planning Director

BEFORE THE PLANNING COMMISSION
OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

RESOLUTION NO. _____

On the motion of Commissioner
duly seconded by Commissioner
the following Resolution is adopted:

PLANNING COMMISSION RESOLUTION
SENDING RECOMMENDATION TO THE BOARD OF SUPERVISORS
ON PROPOSED AMENDMENT TO THE ZONING ORDINANCE

WHEREAS, the Planning Commission has held a public hearing on Application No. 07-0522, involving property located on the east side of Two Bar Road, approximately .8 of a mile from the intersection with Highway 9, and the Planning Commission has considered the proposed rezoning, all testimony and evidence received at the public hearing, and the attached staff report.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission recommends that the Board of Supervisors adopt the attached ordinance amending the Zoning Ordinance by changing property from the Special Use (SU) and Residential Agriculture (RA) zone districts to the Timber Production zone district.

BE IT FURTHER RESOLVED, that the Planning Commission makes findings on the proposed rezoning as contained in the Report to the Planning Commission.

PASSED AND ADOPTED by the Planning Commission of the County of Santa Cruz, State of California, this _____ day of _____, 2008, by the following vote:

AYES: COMMISSIONERS
NOES: COMMISSIONERS
ABSENT: COMMISSIONERS
ABSTAIN: COMMISSIONERS

Chairperson

ATTEST: _____
MARK DEMING, Secretary

APPROVED AS TO FORM:

COUNTY COUNSEL

ORDINANCE NO. _____

**ORDINANCE AMENDING CHAPTER 13
OF THE SANTA CRUZ COUNTY CODE
CHANGING FROM ONE ZONE DISTRICT TO ANOTHER**

The Board of Supervisors of the County of Santa Cruz ordains as follows:

SECTION I

The Board of Supervisors finds that the public convenience, necessity and general welfare require the amendment of the County Zoning Regulations to implement the policies of the County General Plan and Local Coastal Program Land Use Plan regarding the timber resource properties located on the east side of Two Bar Road , approximately .8 of a mile from the intersection with Highway 9; finds that the zoning to be established herein is consistent with all elements of the Santa Cruz County General Plan and the Santa Cruz County Code, as modified by the *Big Creek* decision; and finds and certifies that the project is subject to a statutory exemption under the California Environmental Quality Act.

SECTION II

The Board of Supervisors hereby adopts the Zoning Plan Amendment as described in Section III, and adopts the findings in support thereof without modification as set forth below:

1. The proposed zone district will allow a density of development and types of uses which are consistent with the objectives and land use designations of the adopted General Plan; and
1. The proposed zone district is appropriate for the level of utilities and community services available to the land; and
2. The character of development in the area where the land is located has changed or is changing to such a degree that the public interest will be better served by a different zone district; and
3. The property meets the requirements of Government Code section 51113 or 51113.5 and County Code Section 13.10.375(c).

SECTION III

Chapter 13.10 - Zoning Regulations of the Santa Cruz County Code is hereby amended by amending Section 13.10.210 - Zoning Plan to change the following properties from the existing zone district to the new zone district as follows:

<u>Assessor's Parcel Number</u>	<u>Existing Zone District</u>	<u>New Zone District</u>
085-222-10	Residential Agriculture (RA)	TP
085-222-13	Special Use (SU)	TP
085-222-16	Special Use (SU)	TP

SECTION IV

This ordinance shall take effect on the 31st day after the date of final passage.

PASSED AND ADOPTED THIS _____ day of _____ 2008, by the Board of Supervisors of the County of Santa Cruz by the following vote:

AYES: SUPERVISORS
NOES: SUPERVISORS
ABSENT: SUPERVISORS
ABSTAIN: SUPERVISORS

Chairman of the Board of Supervisors

ATTEST: _____
Clerk of the Board

APPROVED AS TO FORM:

Assistant County Counsel

Exhibit: Rezoning Map

DISTRIBUTION: County Counsel
Planning
Assessor

County

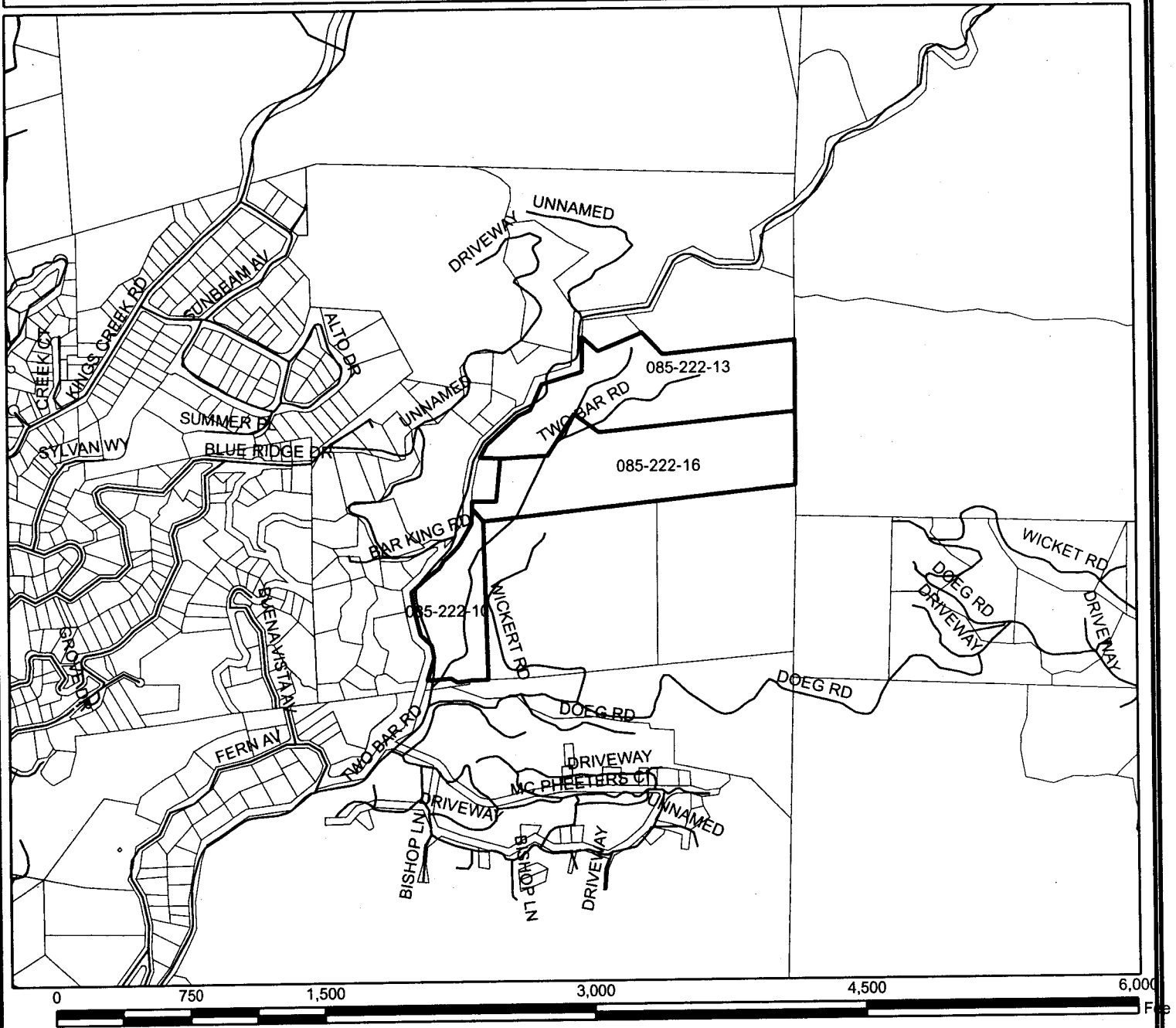
GIS

85-22






Note - Assessor's Parcel & Block Numbers Shown in Circles.

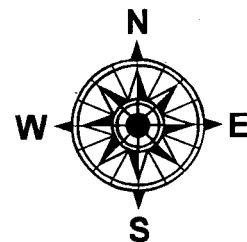


Location Map



LEGEND

-  APN: 085-222-16
-  APN: 085-222-13
-  APN: 085-222-10
-  Assessors Parcels
-  Streets

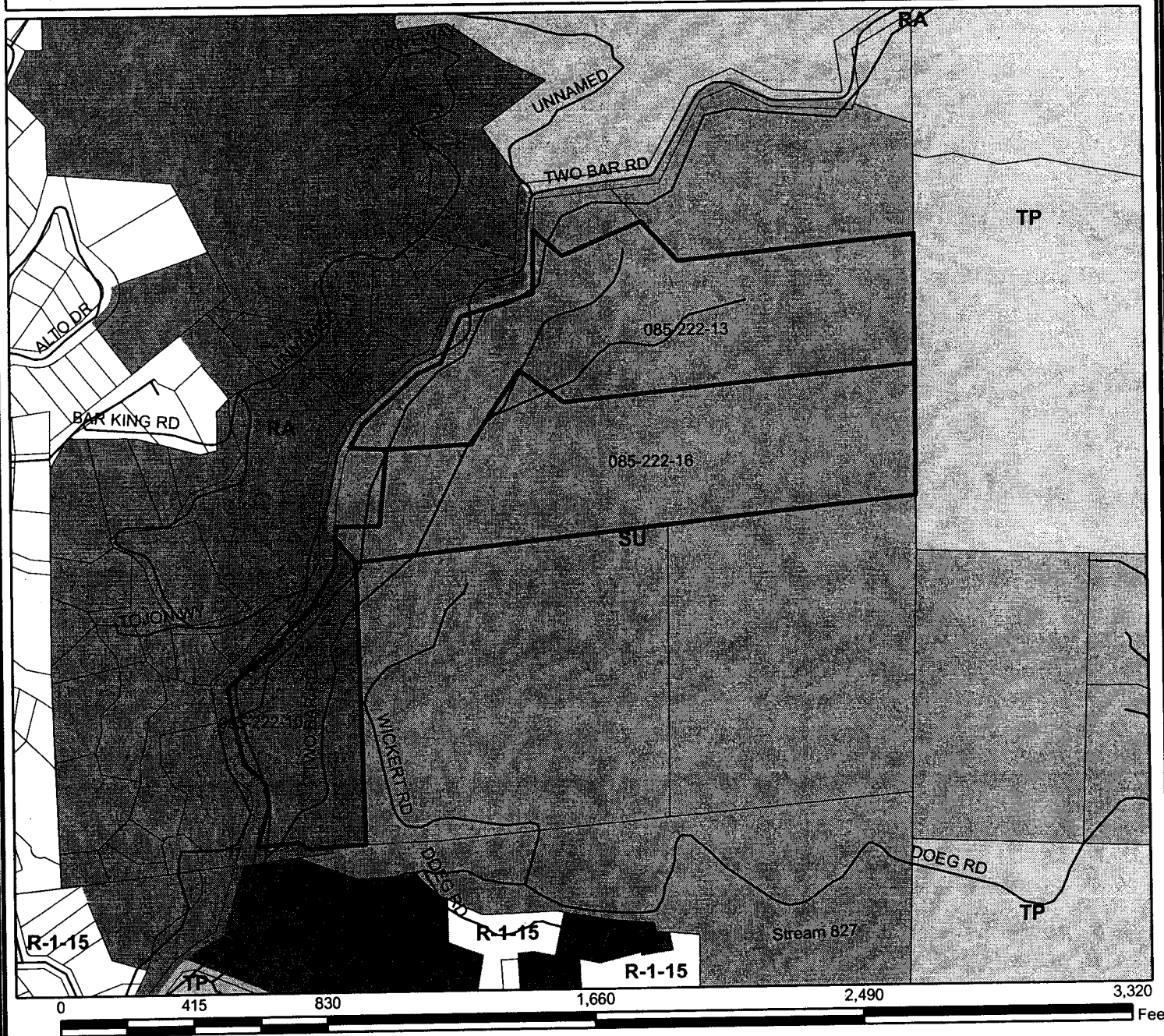


Map created by
County of Santa Cruz
Planning Department
August 2007

EXHIBIT C

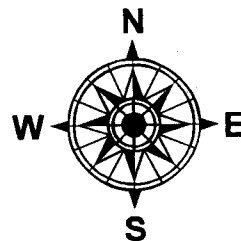


Zoning Map



LEGEND

- APN: 085-222-16
- APN: 085-222-13
- APN: 085-222-10
- Assessors Parcels
- Streets
- STREAMTYPE**
- PERENNIAL
- INTERMITTENT
- AGRICULTURE RESIDENTIAL
- PARK
- RESIDENTIAL-SINGLE FAMILY
- SPECIAL USE
- TIMBER PRODUCTION

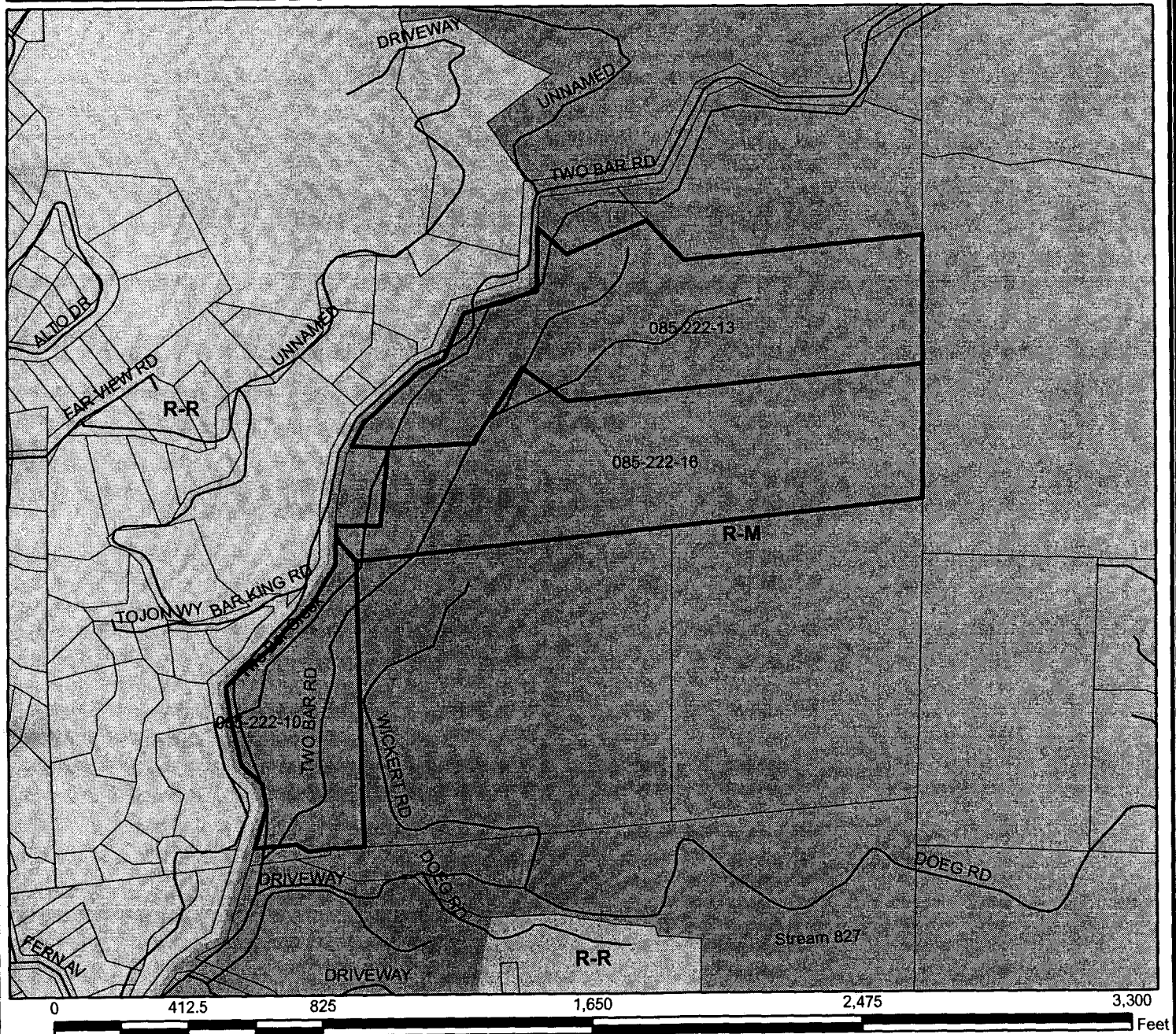


Map created by
County of Santa Cruz
Planning Department
August 2007

EXHIBIT C

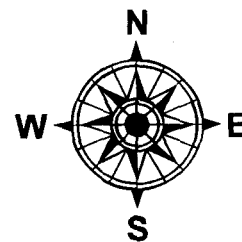


General Plan Designation Map



LEGEND

- APN: 085-222-16
- APN: 085-222-13
- APN: 085-222-10
- Assessors Parcels
- Streets
- STREAMTYPE**
- PERENNIAL
- INTERMITTENT
- Residential-Mountain
- Residential-Rural



Map created by
County of Santa Cruz
Planning Department
August 2007

EXHIBIT C

CALIFORNIA ENVIRONMENTAL QUALITY ACT NOTICE OF EXEMPTION

The Santa Cruz County Planning Department has reviewed the project described below and has determined that it is exempt from the provisions of CEQA as specified in Sections 15061 - 15332 of CEQA for the reason(s) which have been specified in this document.

Application Number: 07-0522

Assessor Parcel Number: 085-222-10,13,16

Project Location: Property located on the east side of Two Bar Road, approximately .8 of a mile from the intersection with Highway 9.

Project Description: Rezone three parcels from the Special Use (SU) and the Residential Agriculture zone districts to the Timber Production (TP) zone district.

Person or Agency Proposing Project: Douglas and Nigele Cross, H.W CP

Contact Phone Number: (408) 348-5642

- A. ☐ The proposed activity is not a project under CEQA Guidelines Section 15378.
B. ☐ The proposed activity is not subject to CEQA as specified under CEQA Guidelines Section 15060 (c).
C. ☐ **Ministerial Project** involving only the use of fixed standards or objective measurements without personal judgment.
D. ☒ **Statutory Exemption** other than a Ministerial Project (CEQA Guidelines Section 15260 to 15285). [Section 1703]

In addition, none of the conditions described in Section 15300.2 apply to this project.

Maria Porcila Perez, Project Planner

Date: _____

Timber Management Plan
for the lands of

Doug Cross
APNs 085-222-10, 13, 16
Santa Cruz County, Calif.

September 5, 2007
Prepared by
Steven M. Butler, RPF #2390
781 Oak Drive
Felton CA 95018

The purpose of this management plan is to provide basic forest management details and information to the landowner and to meet the county requirements for rezoning said parcels from their current zoning designation of Special Use (SU) and Rural Agriculture (RA) to Timber Production Zoning (TPZ). The two SU parcels are partially covered by the Timber Resources overlay.

TPZ is a zoning classification applied to private timberland and State forests by local government under the Forest Taxation Reform Act of 1976. In addition to the definition of "timberland" applied in the Forest Practice Act, land within a TPZ is also subject to the definition in Section 51104 (f) of the Government Code (GC). In the GC timberland means privately owned land or land acquired for state forest purposes, which is devoted to and used for growing and harvesting timber, or for growing and harvesting timber and compatible uses, and which is capable of growing an average annual volume of wood fiber of at least 15 cubic feet per acre.

Land zoned TPZ is restricted for use in timber growing or compatible uses, such as outdoor recreation or grazing. This restriction on use lasts ten years and is renewed each year; in return, landowners receive reduced property tax assessments on the land.

"Conversion" from timber growing to other land uses may occur either on land that is zoned for timber production or land that is still timberland but which is not zoned for timber production. Within TPZ lands, timberland conversion means the immediate rezoning of TPZ, whether timber operations are involved or not. Some exemptions may apply. Within non-TPZ timberlands, under Section 1100 (g) of the California Code of Regulations (CCR), timberland conversion means transforming timberland to a non-timber growing use through timber operations where:

1. Future timber harvests will be prevented or infeasible because of land occupancy and activities thereon; or
2. Stocking requirements of the applicable district forest practice rules will not be met within five years after completion of timber operations; or
3. There is a clear intent to divide timberland into ownerships of less than three acres. In these cases, a timberland conversion permit is required.

A timberland conversion exemption is applicable to the following situations of converting timberland for (Section 1104, CCR):

1. Non-timber use only, of less than three acres in one contiguous ownership, whether or not it is a portion of a larger land parcel and shall not be part of a THP;
2. Construction or maintenance of right-of-way by a public agency on its own or any other public property;
3. Construction and maintenance of gas, water, sewer, oil, electric, and communication right-of-way by private or public utility; and
4. Subdivision development outside of TPZ.

General Property Description - The 3 parcels total about 36.4 acres in total size. All 3 parcels touch each other. The parcels are all redwood forestland. Portions of the parcel are fairly steep while others areas are gentle. The parcels are 085-222-10, 13, 16. They can be found on Castle Rock USGS Quad Map, in a portion of Section 18 T9S R2W MDB&M. Elevation ranges from 540 feet at the southwest corner of parcel 085-222-10 where Two Bar Creek leaves the parcel to 960 feet at the southeast corner of parcel 085-222-16 along the section line. The parcel is in the Two Bar Creek watershed. Two Bar Creek is listed as a class I anadromous fish stream for steelhead. One additional class III surface watercourse was observed on the parcel. Parcel 085-222-13 is used as a primary residence, parcel 085-222-16 is currently undeveloped, parcel 085-222-10 has several residences on it. The area is also used to keep a few farm animals, namely goats and chickens. The parcels are adjacent to a TPZ parcel to the east.

History - The parcel was originally logged in the late 1800's or early 1900's. The two SU parcels were harvested for second growth timber by Weststar/Coast Counties Timber in the mid 1980's. A copy of this THP map is included in this report. This previous harvest was heavy and focused on removing the largest redwood trees. The northeastern portion of these parcels may also have been harvested in the late 1970's. Fuel wood has been harvested from all the parcels. Several of the structures on the parcel date from the late 1800's.

Access and Boundaries - The parcel has a legal right of way along a private road to Two Bar Road (A county road). The parcels have been at least partially surveyed, several monuments were observed in the field. Access for a commercial harvest is adequate and has been used before, both for a portion of these parcels and for a neighboring parcel.. The parcels have existing internal access afforded by maintained paved and dirt roads.

Timber/Cover Types - The parcel has one cover type, which is redwood forest. The type is fairly variable. The redwood density and size increase as you move into the less exposed portions parcel. The more exposed slopes on the parcel are heavier to hardwood, Douglas-fir and clumps of smaller diameter redwoods. The better portions of the parcel support denser stands of large redwoods. The redwood forest has a fairly large component of Douglas-fir, this is partially a result of the previous harvest which removed almost exclusively redwood. Hardwoods include: Live Oak, some Tan oak, Madrone, and Bay Laurel. Maple and alder exist near Two Bar Creek.

Soils - There are four mapped soil types on the parcels:

138- Felton Sandy Loam 5-9% slopes. This deep sandy loam soil is a good timber soil.

143- Lompico-Felton Complex 30-50% slopes. This moderately deep to deep sandy loam is a good timber soil.

144 - Lompico-Felton Complex 50-75% slopes. This is the most widespread soil type on the parcels. This moderately deep loam occupies the upper elevation portions of the property and support redwood and Douglas-fir forests stands.

153- Maymen-Rock Outcrop Complex 50-75% Slopes. The portion of this soil type on the property is a shallow sandy loam. This soil supports redwood stands near the stream and supports Douglas-fir and hardwood stands on the upper slopes.

Volume, Growth and Yield - These parcels are **productive timber lands which are available and capable of growing a crop of commercial tree species in quantities greater than 15 cubic feet of wood fiber per year.**

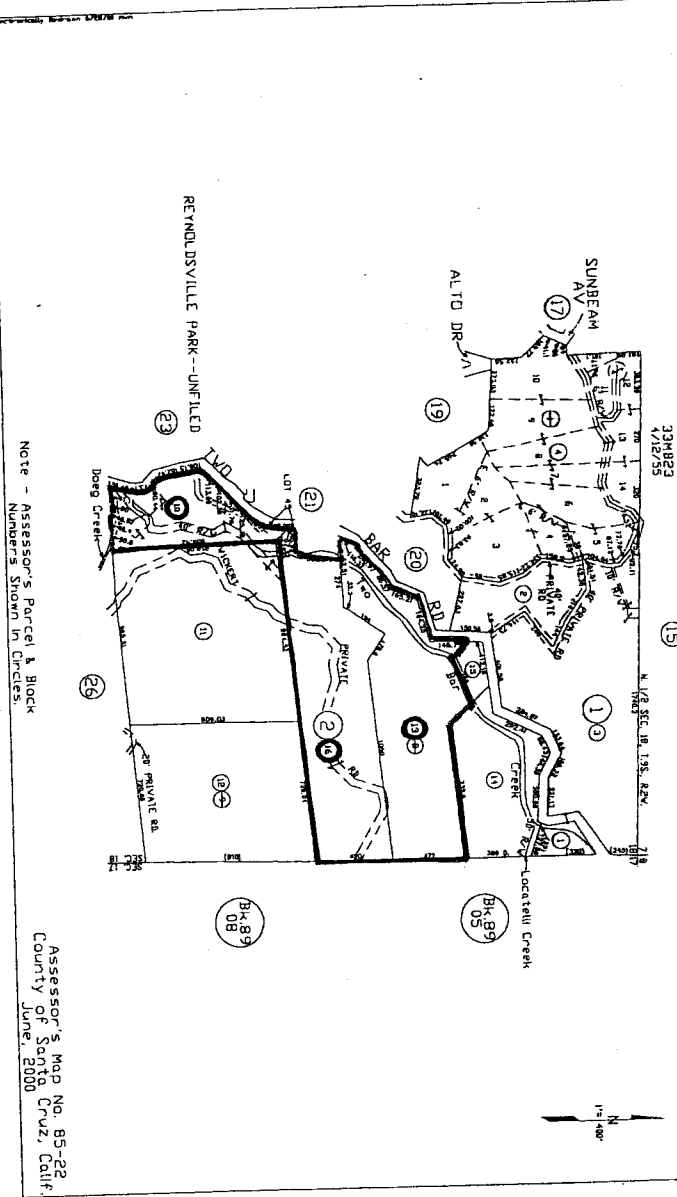
The timbered portion of the parcel is considered site III timberland . The site index is estimated at 130-150. The area is roughly 45% stocked with conifers. The yield table estimates the current cubic feet stocking as 8,500 cubic feet per acre. My estimate of stocking is roughly 18,000 board feet (BF) per acre. Growth is estimated 3.5% or 295 cubic feet/acre/year, 630 BF/acre/year. The total standing volume of conifer is estimated at 600,000 BF. The parcel carries roughly 7 cords per acre of hardwood, for an estimated 200 cords.

Future Timber Management and Units- All 36 acres are accessible utilizing traditional ground skidding access. A commercial entry would be anticipated to yield 210,000 MBF (thousand board feet) under a 50% - 60% selection harvest. This volume would be about 1/3 Douglas-fir. This could be repeated on a 14 year cycle. Utilizing the stumpage values (price paid for standing trees) provided by the California Tax Board the stumpage value of such a sale would yield (\$580/ MBF x 138 MBF of redwood = \$80,040 +. \$110 /MBF x 72MBF of Doug-fir = \$7920) Total = **\$87,960**. The cost of obtaining a Timber Harvest Plan (THP; harvesting permit) would need to be subtracted from this value. THP's are fairly expensive and carry a high fixed cost. To obtain a THP for your 36 acres could cost \$15,000 - \$20,000.

This produces a quite viable stand alone sale, your best course of action would be to tie your harvest of these tree parcels in with a nearby timber harvest during the preparation stages of a nearby sale. This could greatly reduce your THP cost. This would require you to contact the half dozen RPF'S that prepare plans in the area and let them know you are interested in harvesting your parcel and wait for them to prepare a harvest plan on a nearby parcel, or contact the nearby TPZ timberland owners directly. The 36 acre unit discussed is a stand alone unit in that would have its own adequate landing areas and skid road access, and has been harvested in the past. This is also true of each of the individual parcels, but would be most economically rewarding to harvest as group or with other nearby parcels.

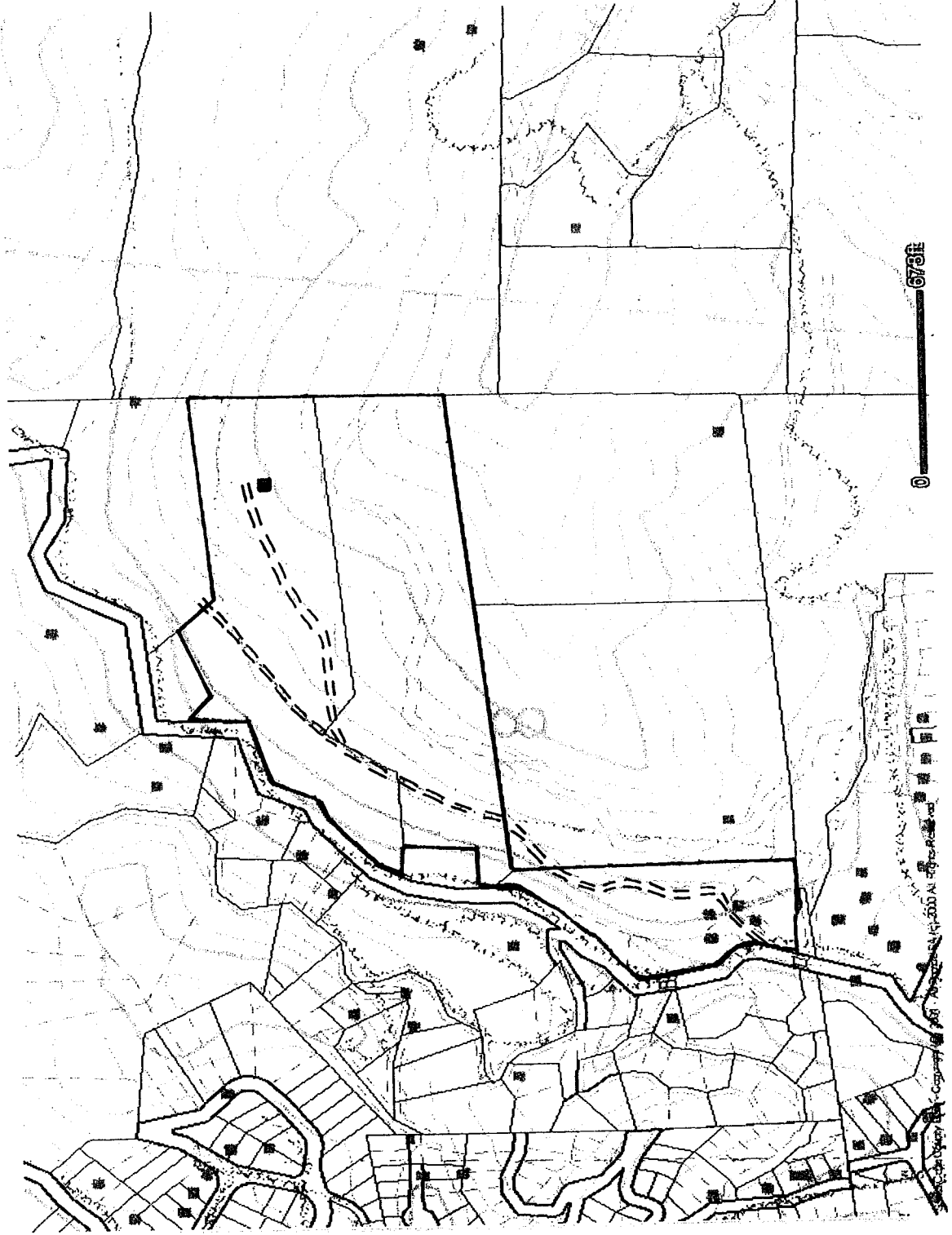
The continued fire hazard thinning, pruning and clearing that has been performed around the houses on the parcels should be continued. A Fire Safe 150' exemption(s) could be completed in conjunction with the THP and would result in greater value recovery for the trees removed around the house.

FOR TAX PURPOSES ONLY FOR NE. 1/4 SEC. 18, T.9S., R.2W., M.D.B. & M. Tax Area Code 85-22
 90-103
 1/16/93



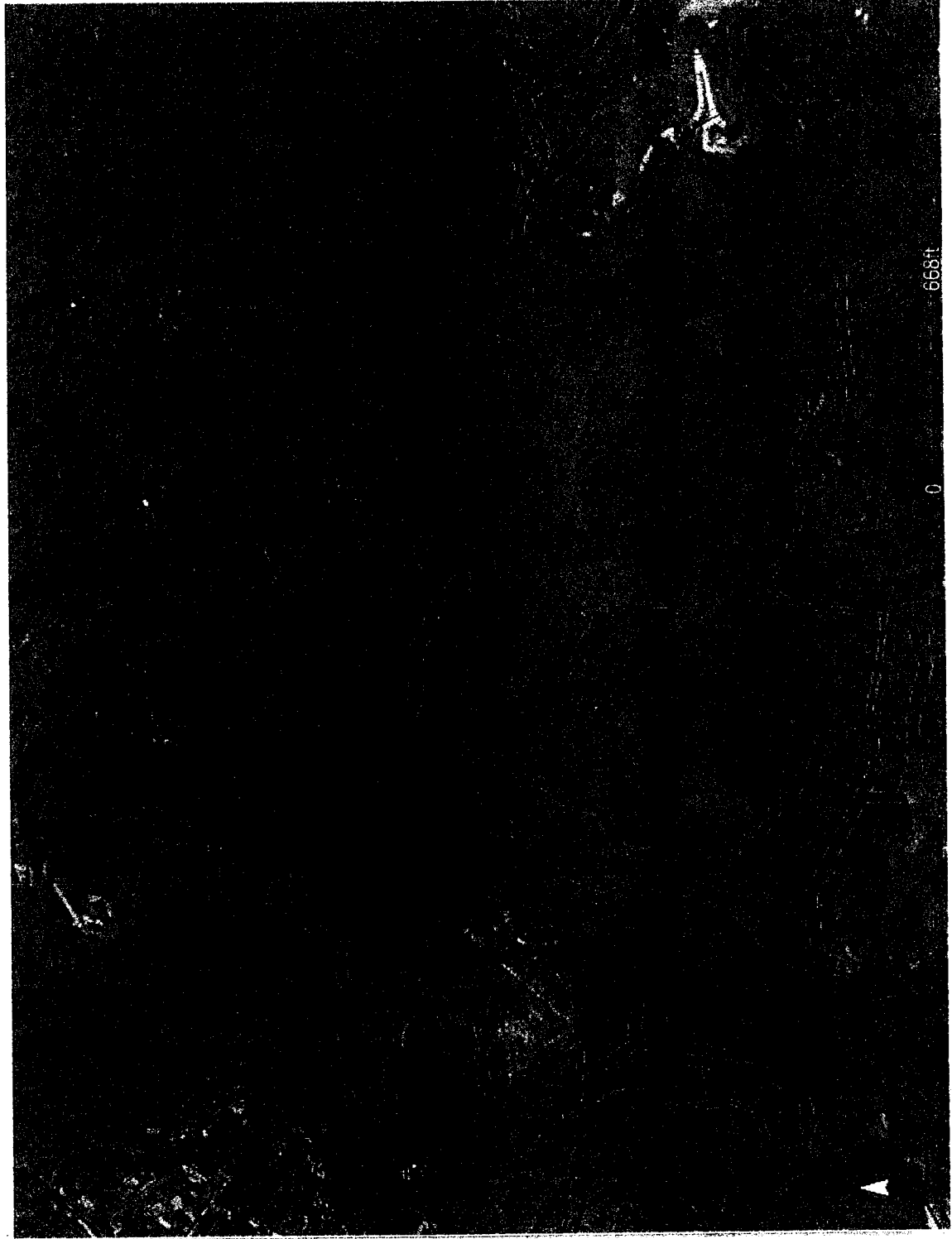
STEVEN M. BUTLER RPE
 781 OAK DR.
 FELTON CA 95018

Cross USGS

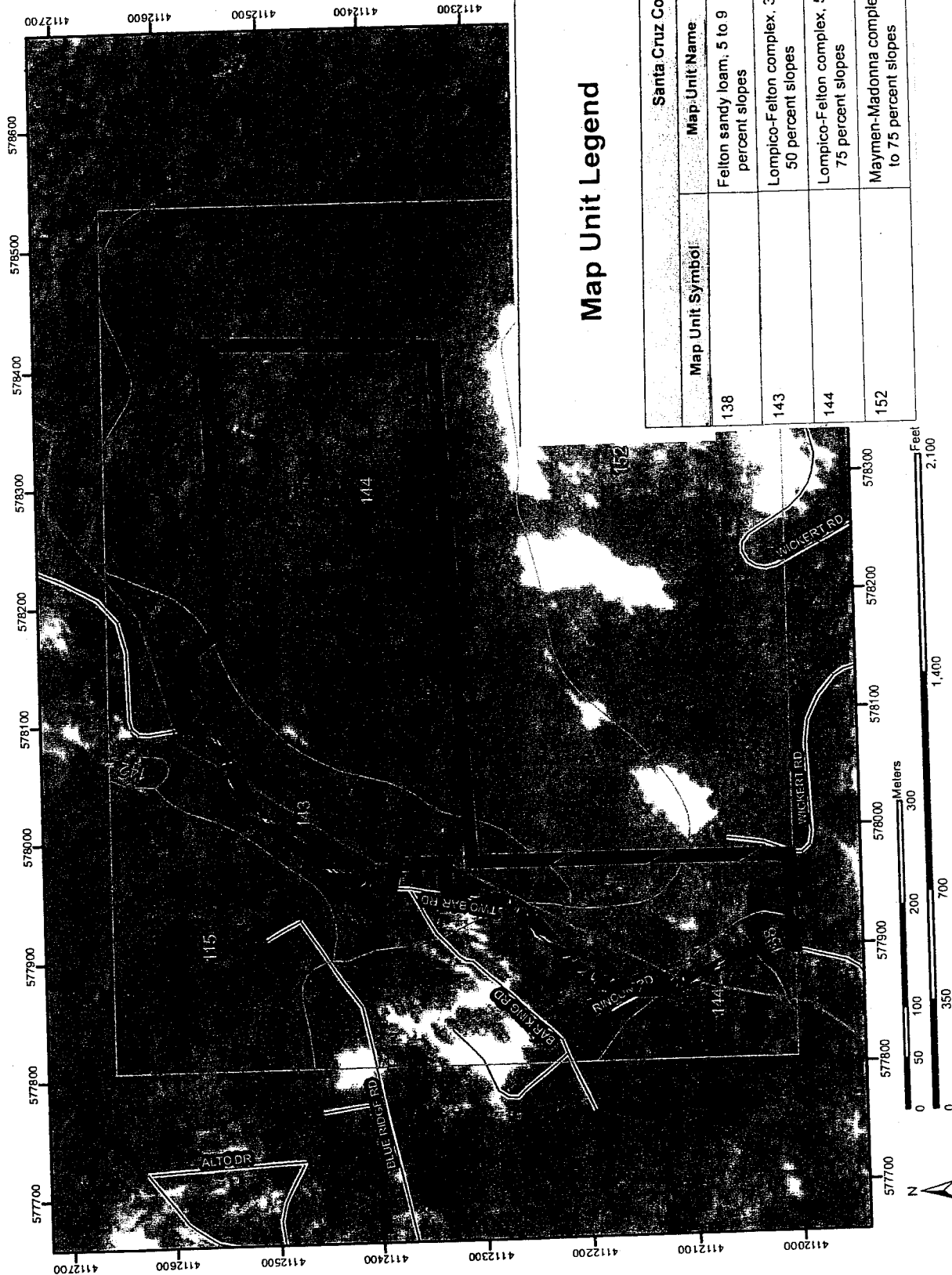


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Cross Usgs over Photo

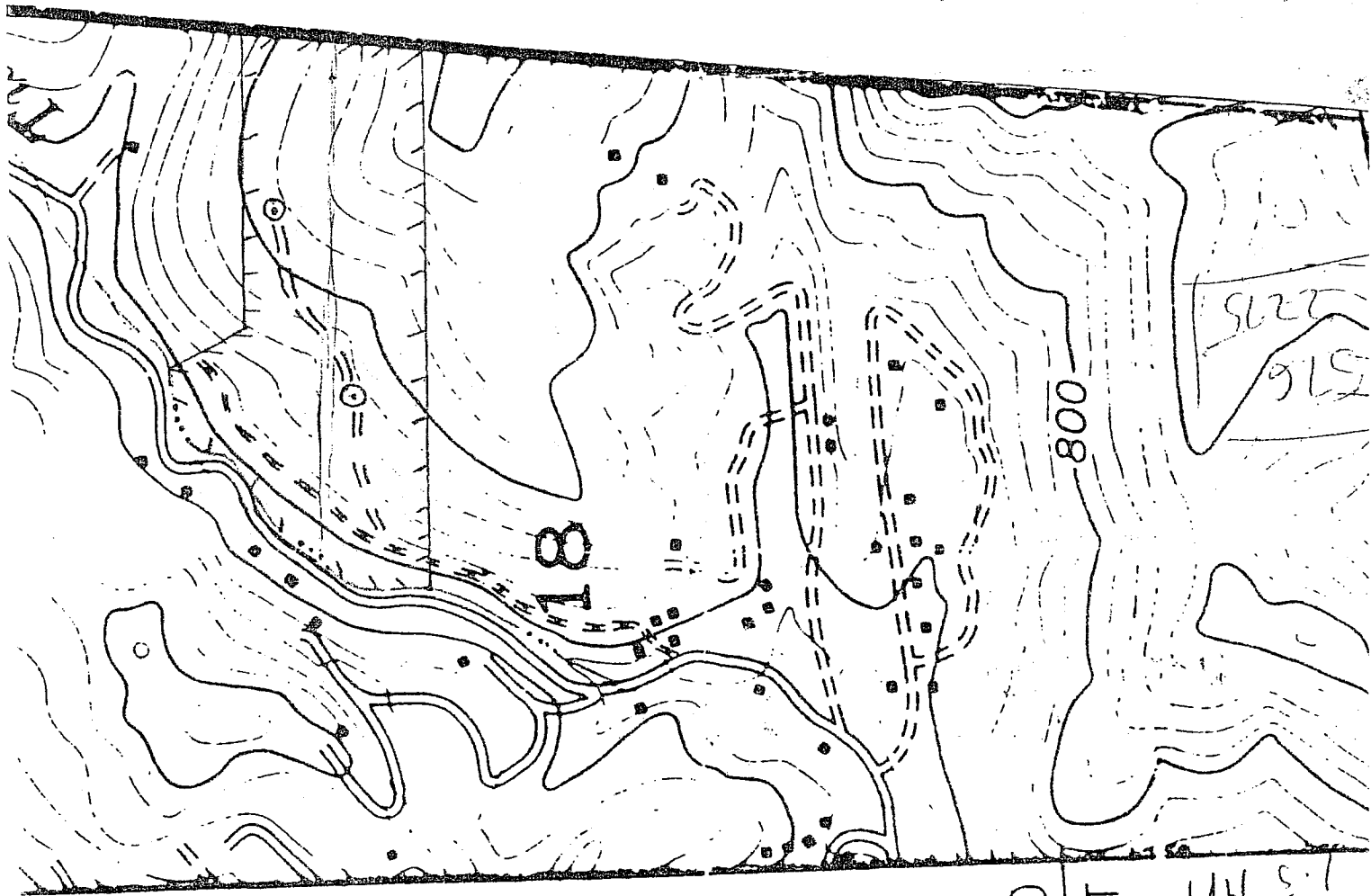


Legend



Map Unit Legend

Santa Cruz County, California (CA087)	
Map Unit Symbol	Map Unit Name
138	Felton sandy loam, 5 to 9 percent slopes
143	Lompico-Felton complex, 30 to 50 percent slopes
144	Lompico-Felton complex, 50 to 75 percent slopes
152	Maymen-Madonna complex, 30 to 75 percent slopes



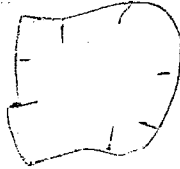
4112

-18-

000

EXHIBIT E

Legend



= area harvested
(27 acres)

Two Deer

CROSS
Old THP Map

STEVEN M. BUTLER RPE

791 OAK DR.

NELTON CA 95018

EXHIBIT "A"

PARCEL ONE:

A part of the Northeast quarter of Section 18 Township 9 South Range 2 West, Mount Diablo Base and Meridian and further described as follows:

BEGINNING on the East line of said Section 18 at the Northeast corner of lands conveyed to Thomas L. O'Neil and Samuel H. Davis by Deed recorded in Volume 40 of Deeds at Page 350, Santa Cruz County Records; thence along the East line of said Section 18, North 0° 11' West 1,219 feet, more or less, to a station that is 10 feet Northerly of the center line of a small creek, and a Southeasterly corner of the lands conveyed to Henry Keim by Deed recorded July 13, 1934 in Volume 273 of Official Records at Page 178, Santa Cruz County Records; thence along the Southern line of said lands of Keim, North 74° 45' West 127.96 feet to a station; thence continuing North 66° 45' West 87 feet to a station in the center of Two Bar Creek County Road; thence North 86° 38' West 236.08 feet; thence North 64° 08' West 150.30 feet; thence South 68° 47' West 109.15 feet; thence South 25° 52' West 288.64 feet; South 83° 00' West 398.10 feet; South 3° 16' West 133.15 feet to the most Southern corner of lands of Keim, and which point is also the Northeasterly corner of lands now or formerly of Barnes; thence along the center of Two Bar Road, South 1° 05' West 128.7 feet; South 71° West 158.1 feet to the most Southern corner of said lands of Barnes, and the Northeastern corner of land now or formerly of Walters; thence continuing along said Two Bar Creek Road, South 22° 14' West 166.6 feet; South 61° 35' West 78.1 feet to the most Southern corner of lands now or formerly of Walters; thence South 46° 15' West 248.8 feet; South 26° 02' West 130.20 feet; thence leaving said Two Bar Creek County Road due East 78 feet to a stake in the center line of Two Bar Creek; thence along the center line of said creek, South 5° 44' West 329.5 feet, more or less, to a stake from which the Northwest corner of said lands of O'Neil and Davis bears South 5° 44' West 97 feet distant; thence leaving said creek due West 71 feet to a station in the center line of Two Bar Creek County Road; thence along said county road, South 1° 20' East 30 feet; South 28° 50' West 138.2 feet; South 41° West 124 feet; South 32° West 50 feet; South 49° 05' West 96.4 feet; South 46° 05' West 128 feet; South 10° 35' East 120.5 feet to the Northeast corner of lands conveyed to Lucille Dean and Christine Kirkman by Deed recorded in Volume 80 of Official Records at Page 141, Santa Cruz County Records; thence continuing along the center line of said county road, South 14° 35' East 161.2 feet; South 49° 30' East 89.35 feet South 10° 06' East 59.35 feet; and South 14° 30' West 85.5 feet to a station from which the North line of lands conveyed to Lillie B. Turner by Deed recorded in Volume 317 of Deeds at Page 75 Santa Cruz County Records, bears South 14° 30' West 57.5 feet distant; thence leaving the center line of said county road, along the center line of a private road 40 feet in width, North 50° 25' East 72.4 feet to a station; thence North 44° 25' East 68 feet to a station; and North 69° 30' East 50 feet to a station; thence leaving said road South 38° 35' East 103 feet to a station; South 44° 25' West 96.5 feet to a station; South 62° 19' East 46.82 feet; North 73° 35' East 46.40 feet; and North 85° 20' East 50.80 feet to the Western boundary of said lands of O'Neil and Davis; thence along said Western boundary due North 860.23 feet to the Northwest corner of last mentioned lands; thence along the North line of said lands of O'Neil and Davis, North 83° 11' East 1,693.56 feet to the place of beginning.

EXHIBIT "A", Continued

Parcel One, Continued

EXCEPTING THEREFROM that portion lying Northerly of the following described line, beginning at the Northwest corner of said above mentioned lands of O'Neill and Davis, thence North 80° West 92.2 feet.

PARCEL TWO:

BEGINNING at the intersection of the Northern line of the lands conveyed by Luna Gibbs to Lillie B. Turner, by Deed recorded in Volume 317 of Deeds at page 75, Santa Cruz County Records, with the center line of the county road known as the Two Bar Creek Road; thence from said point of beginning and running along the center line of said road, North 14° 30' East 57.5 feet; thence leaving said center line of said road and along the center line of a private road, North 50° 25' East 72.4 feet to a station; thence North 44° 25' East 62.00 feet to a station; thence leaving said private road South 28° 40' East 130.00 feet to a station; thence South 44° 25' West 20.00 feet to a station in the middle of a ravine known as Doeg Creek; thence along the center line of said creek, South 85° West 90.00 feet to a station and South 82° 44' West 68.03 feet to the point of beginning.

PARCEL THREE:

BEGINNING at a station in the center of a 40 foot road from which station the point of intersection of the center line of Two Bar Creek Road with the Northern line of lands conveyed by Luna Gibbs to Lillie B. Turner, by Deed recorded in Volume 317 of Deeds, at Page 75, Santa Cruz County Records, bears South 44° 25' West 62 feet; South 50° 25' West 72.4 feet and South 14° 30' West 57.5 feet distant; running thence along the center line of said 40 foot road North 44° 25' East 6 feet to a station, and North 69° 30' East 50 feet to a station; thence leaving said road South 38° 35' East 103 feet to a station; thence South 44° 25' West 76.5 feet to a station; thence North 28° 40' West 130 feet to the point of beginning.

Assessor's Parcel Number: 085-222-10

PARCEL ONE:

BEING a part of the Northeast quarter of Section 18 in Township 9 South, Range 2 West, Mount Diablo Base and Meridian and further described as follows:

BEGINNING on the East line of said Section 18 at the Northeast corner of lands conveyed to Thomas L. O'Neil and Samuel H. Davis by deed recorded in Volume 40 of Deeds at Page 350, Santa Cruz County Records; thence along the East line of said Section 18, North 0° 11' West 1,219 feet, more or less, to a station that is 10 feet Northerly of the center line of a small creek, and a Southeasterly corner of the lands conveyed to Henry Keim by Deed recorded July 13, 1934 in Volume 273 of Official Records at Page 178, Santa Cruz County Records; thence along the Southern line of said lands of Keim, North 74° 45' West 127.96 feet to a station; thence continuing North 66° 45' West 87 feet to a station in the center of Two Bar Creek County Road; thence North 86° 38' West 236.08 feet; thence North 64° 08' West 150.30 feet; thence South 68° 47' West 109.15 feet; thence South 25° 52' West 288.64 feet; South 83° 00' West 398.10 feet; South 3° 16' West 133.15 feet to the most Southern corner of lands of Keim, and which point is also the Northeasterly corner of lands now or formerly of Barnes; thence along the center of Two Bar Road, South 1° 05' West 128.7 feet; South 71° West 158.1 feet to the most Southern corner of said lands of Barnes, and the Northeastern corner of land now or formerly of Walter; thence continuing along said Two Bar Creek Road, South 22° 14' West 166.6 feet; South 61° 35' West 78.1 feet to the most Southern corner of lands now or formerly of Walter; thence South 46° 15' West 248.8 feet; South 26° 02' West 130.20 feet; thence leaving said Two Bar Creek County Road due East 78 feet to a stake in the center line of Two Bar Creek; thence along the center line of said creek, South 5° 44' West 329.5 feet, more or less, to a stake from which the Northwest corner of said lands of O'Neil and Davis bears South 5° 44' West 97 feet distant; thence leaving said creek due West 71 feet to a station on the center line of Two Bar Creek County Road; thence along said County Road South 1° 20' East 30 feet; South 28° 50' West 138.2 feet; South 41° West 124 feet; South 32° West 50 feet; South 49° 05' West 96.4 feet; South 46° 05' West 128 feet; South 10° 35' East 120.5 feet to the Northeast corner of lands conveyed to Lucille Dean and Christine Kirkman by Deed recorded in Volume 80 of Official Records at Page 141, Santa Cruz County Records; thence continuing along the center line of said County Road, South 14° 35' East 161.2 feet; South 49° 30' East 89.35 feet South 10° 06' East 59.35 feet; and South 14° 30' West 85.5 feet to a station from which the North line of lands conveyed to Lillie B. Turner by Deed recorded in Volume 317 of Deeds at Page 75, Santa Cruz County Records, bears South 14° 30' West 57.5 feet distant; thence leaving the center line of said County Road, along the center line of a private road 40 feet in width, North 50° 25' East 72.4 feet to a station; thence North 44° 25' East 68 feet to a station; and North 69° 30' East 50 feet to a station; thence leaving said road South 38° 35' East 103 feet to a station; South 44° 25' West 96.5 feet to a station; South 62° 19' East 46.82 feet; North 73° 35' East 46.40 feet; and North 85° 20' East 50.80 feet to the Western boundary of said lands of O'Neil and Davis; thence along said Western boundary due North 860.23 feet to the Northwest corner of last mentioned lands; thence along the North line of said lands of O'Neil and Davis, North 83° 11' East 1,693.56 feet to the place of beginning.

• EXHIBIT "A" Continued

EXCEPTING Parcel Three, recorded October 4, 1969 in Volume 1983 of Official Records, Page 124, Santa Cruz County Records.

ALSO EXCEPTING Parcel One as recorded December 9, 1977 in Volume 2847, Page 678, of Santa Cruz County Records.

ALSO EXCEPTINGT Parcel One as recorded September 5, 1969 in Volume 1973, Page 468, Santa Cruz County Records.

PARCEL TWO:

Rights of Ways appurtenant to the above described property, as set forth in Deed executed by Dake Title Company of Santa Cruz, a corporation, to Edna V. Guthrie, dated June 20, 1929 and recorded June 22, 1929 in the office of the County Recorder of the County of Santa Cruz in Volume 119 of Official Records, Page 406, et seq., reference to which deed is hereby made for full description of said rights of ways.

Also such Rights of Ways as are granted in Deed executed by George H. Gibbs to S. H. Davis by Deed recorded in Volume 40 of Deeds, Page 350, in the office of the County Recorder of the County of Santa Cruz, reference to which record is hereby made for full description of said rights of ways.

Assessor's Parcel Number: 085-222-13 and 085-222-16